

## **FISCAL NOTE**

### **HB 2407 - SB 2601**

February 12, 2002

**SUMMARY OF BILL:** Limits the authority of a cemetery owner by prohibiting a cemetery owner from:

- (1) imposing conditions on the installation of merchandise obtained from an outside source;
- (2) charging a fee for the installation of merchandise purchased from or installed by an outside source, except that a fee of up to \$50.00 for assisting in the installation and inspecting for compliance with cemetery rules is permitted if disclosed in advance;
- (3) refusing to mark the place for setting the merchandise on the grave or to inspect the installation for compliance with cemetery rules;
- (4) conditioning the purchase of any grave space or burial right to the purchase of other merchandise;
- (5) refusing to maintain any grave upon which merchandise has been properly installed;
- (6) attempting to waive the liability of cemetery employees for damage caused to outside merchandise;
- (7) requiring an outside installer to provide any insurance, bond, or guarantee other than that required by the Department of Commerce and Insurance; and
- (8) installing merchandise in cemeteries before registering with the Commissioner of Commerce and Insurance.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Revenues - \$60,000**

**Increase State Expenditures - \$36,050 Recurring  
\$11,200 One-Time**

Estimate assumes an increase in:

- state revenues from the collection of registration fees. The Department of Commerce and Insurance estimates 400 merchandise dealers would register and pay an annual fee of at least \$150.
- state expenditures for 1 position and related expenses to implement the provisions of this bill.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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